IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:

Chi Sinq et al.

SERIAL NO.:

09/966,611

FILING DATE:

09/27/01

TITLE:

ABSORBABLE SPONGE WITH CONTRASTING AGENT

EXAMINER:

Baxter, Jessica R

ART UNIT:

3731

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date printed below:

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Date: January 2 2004

Name:

Ruth Rodriquez

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INFORMATION DISCLOSURE STATEMENT

Each item of information listed in the attached FORM PTO-1449, for which a copy of each is attached, may be material to the examination of the above-identified application and is, therefore, submitted in compliance with the duty of disclosure defined in 37 CFR §§ 1.56, 1.97 and 1.98. The Examiner is requested to make these items of official record in this application.

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This Information Disclosure Statement under 37 CFR §§ 1.56, 1.97 and 1.98 is not to be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that any one or more of these items constitutes prior art.

I

This statement is filed pursuant to:

() 37 C.F.R. § 1.97(b).

This information disclosure statement is filed either (1) within three months of the filing date of a national application other than a continued prosecution application under §1.53(d); (2) within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application; (3) before the mailing date of a first office action on the merits, or (4) before the mailing of a first office action after the filing of a Request for Continued Examination under 37 C.F.R. § 1.114, whichever event occurs last.

Accordingly, this information disclosure statement requires no fee and no certification.

(X) 37 C.F.R. § 1.97(c).

This information disclosure statement is filed after the period specified in 37 C.F.R. § 1.97 (b), but before the mailing date of either (1) a final action under 37 C.F.R. § 1.113; (2) a notice of allowance under 37 C.F.R. § 1.311; or (3) an action that otherwise closes prosecution in the application.

Accordingly, this information disclosure statement requires either the fee specified in 37 C.F.R. § 1.17 (p) for submission of an information disclosure statement under 37 C.F.R. § 1.97 (c) (\$180); or a certification according to 37 C.F.R. § 1.97 (e).

() 37 C.F.R. § 1.97(d).

This information disclosure statement is filed after the period specified in 37 C.F.R. § 1.97 (c).

Accordingly, this information disclosure statement requires the fee specified in 37 C.F.R. § 1.17 (p) to consider an information disclosure statement under 37 C.F.R. § 1.97(d) (\$180), and a certification according to 37 C.F.R. § 1.97(e).

If this statement crosses in the mail with an office action, or is otherwise not in the indicated category of 37 C.F.R. § 1.97, it is respectfully requested that this statement be treated in the next appropriate category and made of record. To the extent required, please treat this paper as a conditional petition for acceptance of the information disclosure statement.

II

- () No fee is due.
- (X) The fee specified in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under 37 C.F.R. § 1.97(c) is enclosed (\$180).

Please charge any additional required fee or credit any overpayment to our deposit account number 50-1698.

III

Pursuant to 37 C.F.R. § 1.97(e), I certify:

- No certification is necessary.
- () Each item of information contained in the information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information statement; or
- () No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c), more than three months prior to the filing of the statement.

Respectfully submitted, THELEN REID & PRIEST LLP

Dated: January 27,2004

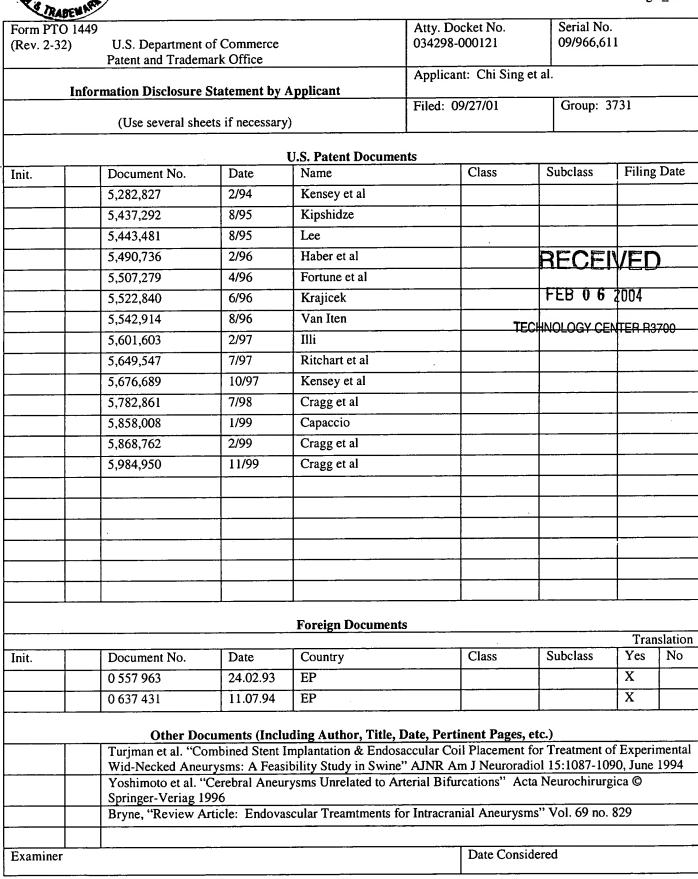
Adrienne Yeung Reg. No. 44,000

THELEN REID & PRIEST LLP P.O. Box 640640 San Jose, CA 95164-0640 (408) 292-5800 direct dial (408) 287-8040 direct fax

Atty. Docket No. Serial No. 034298-000121 09/966,611 U.S. Department of Commerce Patent and Trademark Office Applicant: Chi Sing et al. Information Disclosure Statement by Applicant Filed: 09/27/01 Group: 3731 (Use several sheets if necessary) **U.S. Patent Documents** Class Subclass Filing Date Document No. Date Name Init. 2002/0042378 4/02 Reich et al 2003/0088271 5/03 Cragg et al 2,874,776 2/59 H.E. Hooe 2/45 J.G. Lippincott 2,370,319 12/64 J.L. Higgins 3,358,689 P.D. Nobis 3,411,505 11/68 3,736,939 6/73 Glenn Taylor 8/80 Terry Layton 4,219,026 9/80 Jonathan Cohen 4,224,945 9/83 Constantin Cope 4,405,314 Thomas Krol 3/86 4,573,576 2/87 Seaman et al 4,644,649 Norwak et al 4,699,616 10/87 5/89 Sagae et al 4,832,688 6/89 Yoshino 4,839,204 FEB 0 6 200 4,869,143 9/89 Merrick et al **Foreign Documents** Translation Yes No Class Subclass Init. Document No. Date Country X PCT WO 97/09934 20.03.97 X WO 95/32679 07.12.95 PCT Other Documents (Including Author, Title, Date, Pertinent Pages, etc.) Correll et al, "A New Physiologically Absorbable Sponge" pg. 233-235 Correll et al., "Biologic Investigation of a New Absorbable Sponge" pg. 585-589 Journal of Interventional Cardiology, Volume 5 Number 2 June 1992, Futura Publishing Company, Inc. Kassell, et al. "Size of Intracranial Aneurysms" vol. 12 no. 3 1983 Date Considered Examiner Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include a copy of this form with the next communication to applicant.

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